

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JORDAN DEAN WENHOLD,

Plaintiff,

v.

DR. ROBERT MARSH, *et al.*,

Defendants.

No. 4:22-CV-00105

(Chief Judge Brann)

**ORDER**

**AND NOW**, this 17<sup>th</sup> day of February 2022, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Plaintiff's application (Doc. 5) to proceed *in forma pauperis* is **GRANTED**.
2. Plaintiff's complaint, Doc. 1, is partially **DISMISSED** without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii) for failure to state a claim upon which relief may be granted as to defendants Superintendent Dr. Robert Marsh and Lieutenant J. Stavole.
3. Plaintiff, if desired, shall have until March 8, 2022, to file an amended complaint. If no amended complaint is timely filed, the case shall proceed against Defendant Nelson alone.
4. The Clerk of Court shall terminate defendant "SCI-Bellefonte" and correct defendant "Lt. J. Stable" to "Lt. J. Stavole." *See* Doc. 2 at 1.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

Chief United States District Judge